



#3

Attorney Docket No.: 407T-907720US  
Client Reference No.: 2000-453-3

## DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **HY2 FAMILY OF BILIN REDUCTASES** the specification of which \_\_\_ is attached hereto or x was filed on **May 29, 2001** as Application No. **09/870,406**.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under<br>35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
| WO      | PCT/US01/18326  | 05 June 2001   | 08 June 2000                         |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date       |
|-----------------|-------------------|
| 60/271,758      | February 26, 2001 |
| 60/210,286      | June 8, 2000      |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
|                 |                |        |

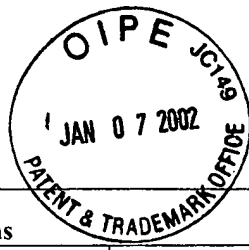
Attorney Docket No.: 407T-907720US

Client Reference No.: 2000-453-3

|                          |  |  |                                      |
|--------------------------|--|--|--------------------------------------|
| Full Name of Inventor 1: | Full Name:<br><b>John Clark Lagarias</b>   |  |                                      |
| Residence & Citizenship: | City:<br><b>Davis</b>  | State/Foreign Country:<br><b>California/The United States of America</b> | Country of Citizenship:<br><b>US</b> |
| Post Office Address:     | Post Office Address:<br><b>1853 Imperial Avenue<br/>Davis, California 95616</b>              |  |                                      |
| Full Name of Inventor 2: | Full Name:<br><b>Takayuki Kochi</b>  |  |                                      |
| Residence & Citizenship: | City:<br><b>Ikoma</b>  | State/Foreign Country:<br><b>Nara/Japan</b>                              | Country of Citizenship:<br><b>JP</b> |
| Post Office Address:     | Post Office Address:<br><b>8916-5 Takayama, Daigakusyuku sya A-404, Ikoma, Nara 630-0101</b> |  |                                      |
| Full Name of Inventor 3: | Full Name:<br><b>Nicole Frankenberg</b>  |  |                                      |
| Residence & Citizenship: | City:<br><b>Davis</b>  | State/Foreign Country:<br><b>California/The United States of America</b> | Country of Citizenship:<br><b>DE</b> |
| Post Office Address:     | Post Office Address:<br><b>1224 F. Street #2<br/>Davis, California 95616</b>                 |  |                                      |
| Full Name of Inventor 4: | Full Name:<br><b>Gregory A. Gambetta</b>   |  |                                      |
| Residence & Citizenship: | City:<br><b>Davis</b>  | State/Foreign Country:<br><b>California/The United States of America</b> | Country of Citizenship:<br><b>US</b> |
| Post Office Address:     | Post Office Address:<br><b>2516 Temple Drive<br/>Davis, California 95616</b>                 |  |                                      |
| Full Name of Inventor 5: | Full Name:<br><b>Beronda L. Montgomery</b>   |  |                                      |
| Residence & Citizenship: | City:<br><b>Bloomington</b>  | State/Foreign Country:<br><b>Indiana/The United States of America</b>    | Country of Citizenship:<br><b>US</b> |
| Post Office Address:     | Post Office Address:<br><b>728 W. 17th Street<br/>Bloomington, Indiana 47404</b>             |  |                                      |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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| Signature of Inventor 1<br><br><b>John Clark Lagarias</b> | Signature of Inventor 2<br><br><b>Takayuki Kochi</b> | Signature of Inventor 3<br><br><b>Nicole Frankenberg</b>    |
| Date <b>08-23-01</b>   | Date   | Date  |
| Signature of Inventor 4<br><br><b>Gregory A. Gambetta</b>  |  | Signature of Inventor 5<br><br><b>Beronda L. Montgomery</b> |
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| Date  | Date <b>8/22/2001</b>   | Date  |
| Signature of Inventor 4<br><br><b>Gregory A. Gambetta</b> |   | Signature of Inventor 5<br><br><b>Beronda L. Montgomery</b> |
| Date  |   | Date  |

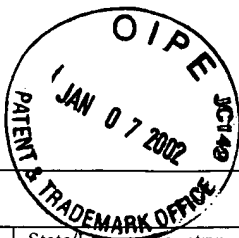


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| Date  | Date   | Date <b>08/23/01</b>  |
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| <b>John Clark Lagarias</b> | <b>Takayuki Kochi</b>   | <b>Nicole Frankenberg</b>    |
| Date                       | Date                    | Date                         |
| Signature of Inventor 4    |                         | Signature of Inventor 5      |
|                            |                         | <b>Beronda L. Montgomery</b> |
| Date <b>08/23/01</b>       |                         | Date                         |



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| Date  | Date   | Date  |
| Signature of Inventor 4<br><br><b>Gregory A. Gambetta</b> |  | Signature of Inventor 5<br><br><b>Beronda L. Montgomery</b> |
| Date  |  | Date <b>8/28/2001</b>                                       |

**ASSIGNMENT**

U.C. Case No. 2000-453-3

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. John Clark Lagarias
2. Takayuki Kochi
3. Nicole Frankenberg
4. Gregory A. Gambetta
5. Beronda L. Montgomery

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin Street, Twelfth Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

**TITLE: HY2 FAMILY OF BILIN REDUCTASES**

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above named persons as inventors
- (c) XX U.S. application serial no. 09/870,406, filed on May 29, 2001
- (d) \_\_\_\_\_ U.S. Patent No.: , issued

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

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Page 2

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

23 day of AUGUST, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

Signature of Inventor(s)

John Clark Lagarias

(NOTE: THIS PART IS NOT ALWAYS NEEDED)

STATE OF CALIFORNIA )

COUNTY OF )

On \_\_\_\_\_, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

U.C. Case No. 2000-453-3

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Page 2

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

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Signature of Inventor(s)

\_\_\_\_ day of \_\_\_\_\_, 2001

22 day of August, 2001Talmy, et al. Kohli

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_ day of \_\_\_\_\_, 2001

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Signature of Inventor(s)

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

23 day of August, 2001

*Michael J. Hanks*

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

[NOTE: THIS PART IS NOT ALWAYS NEEDED]

STATE OF CALIFORNIA     )  
                                       )  
 COUNTY OF                    )

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\_\_\_\_ day of \_\_\_\_\_, 2001

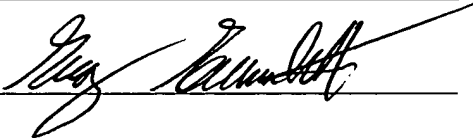
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\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_

23 day of August, 2001


\_\_\_\_ day of \_\_\_\_\_, 2001

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(NOTE: THIS PART IS NOT ALWAYS NEEDED)

STATE OF CALIFORNIA )

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COUNTY OF )

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\_\_\_\_\_

28 day of August, 2001

Fernando Montan

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|  |                        |                     |
|--|------------------------|---------------------|
| <b>POWER OF ATTORNEY OR<br/>AUTHORIZATION OF AGENT, NOT<br/>ACCOMPANYING APPLICATION</b> | Application Number     | 09/870,406          |
|  | Filing Date            | May 29, 2001        |
|  | First Named Inventor   | John Clark Lagarias |
|  | Group Art Unit         | Not yet known       |
|  | Examiner Name          | Not yet known       |
|  | Attorney Docket Number | 407T-907720US       |

I hereby appoint:

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22798

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| Address                 | P.O. Box 458                       |       |                |     |       |
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I am the

Applicant.

☒ Assignee of record of the entire interest (*Certificate under 37 CFR 3.73(b) is enclosed*)

SIGNATURE of Applicant or Assignee of Record

|           |                           |
|-----------|---------------------------|
| Name      | Linda S. Stevenson        |
| Signature | <i>Linda S. Stevenson</i> |
| Date      | 8-21-01                   |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: November 20, 2001

|                       |                               |
|-----------------------|-------------------------------|
| Typed or printed name | Richard Pask Chianti Applying |
| Signature             | <i>[Signature]</i>            |
| Date                  |                               |

